

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Part 2 of the Commission's Rules)	ET Docket No. 00-258
to Allocate Spectrum Below 3 GHz for Mobile and)	
Fixed Services to Support the Introduction of New)	
Advanced Wireless Services, including Third)	
Generation Wireless Systems)	
)	
Amendment of Section 2.106 of the Commission's)	ET Docket No. 95-18
Rules to Allocate Spectrum at 2 GHz for Use)	
By the Mobile-Satellite Service)	
)	
The Establishment of Policies and Service Rules)	IB Docket No. 99-81
for the Mobile-Satellite Service in the 2 GHz Band)	
)	
Petition for Rule Making of the Wireless)	RM-9498
Information Networks Forum Concerning the)	
Unlicensed Personal Communications Service)	
)	
Petition for Rule Making of UTStarcom, Inc.,)	RM-10024
Concerning the Unlicensed Personal)	
Communications Service)	

ORDER EXTENDING REPLY COMMENT PERIOD

Adopted: October 30, 2001

Released: October 30, 2001

Reply Comment Date: November 8, 2001

By the Deputy Chief, Wireless Telecommunications Bureau:

1. On October 26, 2001, the Cellular Telecommunications & Internet Association ("CTIA") filed to request a three-day extension of time to submit reply comments to the *Further Notice of Proposed*

Rulemaking in the above-captioned proceeding from November 5, 2001 to November 8, 2001.¹ For the reasons discussed below, we grant CTIA's request and extend the reply comment period to November 8, 2001.

2. The due date for the initial comments in this proceeding was October 11, 2001, with reply comments due on October 23, 2001.² On October 4, 2001, the Wireless Telecommunications Bureau extended the comment period from October 11, 2001 to October 19, 2001, and the reply comment period from October 23, 2001 to November 5, 2001, finding that the public interest warranted such extension.³ On October 17, 2001, however, the Commission announced that any filings due on October 19, 2001 would be extended to October 22, 2001.⁴ Arguing that the vast majority of comments were not filed until October 22, 2001, three days after the comment deadline, CTIA requests a three-day extension of time to allow commenters the full amount of time initially granted by the Commission to prepare reply comments in this proceeding.⁵

3. The Commission's general policy is that extensions of time are not routinely granted.⁶ In certain instances, however, we consider and grant requests for extension of time where we find that the public interest would be best served by a more a complete discussion of the matters pending before the Commission. Considering the recent Commission decision to change filing location for paper documents and the substantial volume of the record in this proceeding, we believe that it is in the public interest for the Commission to develop the most complete and well-delivered record possible. We find that an extension of time is appropriate under the current circumstances. We believe that a three-day extension of time appropriately balances the interests of commenting parties without unreasonably delaying the resolution of the proceeding. Therefore, we grant an extension of time for the filing of reply comments from November 5, 2001 to November 8, 2001.

¹ Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, ET Docket No. 00-258, *CTIA Request for Extension of Time* (filed Oct. 26, 2001) (*CTIA Request*).

² See Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, ET Docket No. 00-258, *Further Notice of Proposed Rulemaking*, 16 FCC Rcd 16043 (2001).

³ Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, ET Docket No. 00-258, *Order Extending Comment Period*, DA 01-2313, 66 Fed. Reg. 51905 (rel. Oct. 4, 2001).

⁴ *Public Notice*, FCC Announces Change In Filing Location for Paper Documents, DA 01-2436 (rel. Oct. 17, 2001).

⁵ *CTIA Request* at 2.

⁶ See 47 C.F.R. § 1.46(a).

4. IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the October 26, 2001 request of CTIA to extend the deadline for filing reply comments in this proceeding is GRANTED.

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen O'Brien Ham
Deputy Chief
Wireless Telecommunications Bureau